

Message Text

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PAGE 01 STATE 197314

66

ORIGIN EA-09

INFO OCT-01 EA-07 ISO-00 L-03 PM-04 NSC-05 SP-02 SS-15

CIAE-00 INR-07 NSAE-00 OMB-01 TRSE-00 INRE-00 SSO-00

NSCE-00 /045 R

DRAFTED BY OSD/ISA/FMRA:SGOLDSMITH:JWG

APPROVED BY EA:RHMILLER

L/EA: PNORTON (DRAFT)

EA/PHL: DPSULLIVAN

EA/PHL: JELAKE

PM/ISO: GTCHURCHILL (DRAFT)

----- 063674

O R 092204Z AUG 76

FM SECSTATE WASHDC

TO AMEMBASSY MANILA IMMEDIATE

INFO SECDEF

JCS

CINCPAC

CINCPACAF

CINCPACFLT

CINCPACREPPHIL

CG 13TH AF

C O N F I D E N T I A L STATE 197314

MANILA FOR USDEL, CINCPAC ALSO FOR POLAD

E.O. 11652: GDS

TAGS: MARR, RP

SUBJECT: PHILIPPINE BASE NEGOTIATIONS: CURRENCY/FOREIGN
EXCHANGE ARTICLE

REF: MANILA 11500, USDEL 174 DTG 040112Z AUG 76

1. DRAFT ARTICLE MODELED AFTER ARTICLE XI OF US/ROC SOFA
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SET FORTH REFTEL IS SATISFACTORY PROVIDED:

A. ONE OF FOLLOWING PHRASES IS INSERTED AT BEGINNING OF
PARA 1 OF DRAFT ARTICLE: "EXCEPT AS PROVIDED IN THIS
ARTICLE" OR "CONSISTENT WITH THE PROVISIONS OF THIS
ARTICLE."

B. FOR CLARITY IN PARA 3.B., LINE 7 OF TEXT WE RECOMMEND
DELETION OF "UNAUTHORIZED" AND INSERTION OF FOLLOWING
AT END OF PHRASE "NOT AUTHORIZED TO ENGAGE IN FOREIGN EX-
CHANGE ACTIVITIES UNDER PHILIPPINE LAW." LAST TWO
PHRASES OF SUB PARA 2.B. WOULD THEN READ "WITH ANY PERSONS,
FIRMS OR ORGANIZATIONS NOT AUTHORIZED TO ENGAGE IN
FOREIGN EXCHANGE ACTIVITIES UNDER PHILIPPINE LAW OR WITH
ANY PERSONS, FIRMS OR ORGANIZATIONS ORDINARILY RESIDENT
IN THE PHILIPPINES."

C. RIGHT OF U.S. CONTRACTORS TO USE U.S. CURRENCY AS
PROVIDED IN ARTICLE XII, PARA 2(E) OF ROC SOFA IS INCOR-
PORATED IN THIS ARTICLE OR OTHER APPROPRIATE ARTICLE OF
AGREEMENT.

2. ADDITIONALLY, REFERENCES TO "U.S. ARMED FORCES" AND
"MEMBERS" SHOULD BE BROUGHT INTO CONFORMITY WITH
DEFINED TERMS.

3. REGARDING CHANGE TO PARA 1 OF ARTICLE REFERRED TO
ABOVE, WE ARE CONCERNED THAT PHIL FOREIGN EXCHANGE
CONTROLS MIGHT BAR USE OF FOREIGN CURRENCY IN PHILIPPINES,
OR OTHERWISE BE CONSTRUED TO PREVAIL OVER OTHER PROVISIONS
OF THIS ARTICLE.

HABIB

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY BASE AGREEMENTS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ellisoob
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE197314
Document Source: CORE
Document Unique ID: 00
Drafter: SGOLDSMITH:JWG
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760306-0845
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760871/aaaackcs.tel
Line Count: 93
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 MANILA 11500
Review Action: RELEASED, APPROVED
Review Authority: ellisoob
Review Comment: n/a
Review Content Flags:
Review Date: 04 MAR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <04 MAR 2004 by morefirh>; APPROVED <05 OCT 2004 by ellisoob>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PHILIPPINE BASE NEGOTIATIONS: CURRENCY/FOREIGN EXCHANGE ARTICLE
TAGS: MARR, RP, US
To: MANILA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006